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10/09/01

In re application of:

Wei *et al.*

Appl. No. 09/826,212

Filed: April 5, 2001

For: **Tumor Necrosis Factor Receptor 5**

Confirmation No. 3523

Art Unit: 1646

Examiner: To be assigned

Atty. Docket: 1488.1280006/EKS/EJH

### Information Disclosure Statement

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

The Examiner's attention is drawn to co-pending U.S. patent application No. 09/573,986, filed May 18, 2000, attached hereto as document AS8, which is directed to related subject matter. The identification of this patent application is not to be construed as a waiver of secrecy as to this application now or upon the issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior

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art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

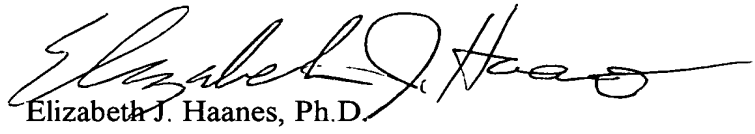
This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Date: October 2, 2001

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October 2, 2001

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Commissioner for Patents  
Washington, D.C. 20231

Attn: Group Art Unit 1646

Re: U.S. Utility Patent Application  
Appl. No. 09/826,212; Filed: April 5, 2001  
For: **Tumor Necrosis Factor Receptor 5**  
Inventors: Wei *et al.*  
Our Ref: 1488.1280006/EKS/EJH

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Information Disclosure Statement (*in duplicate*);
2. Listing of the cited documents on Form PTO-1449 (8 sheets);
3. A copy of each of the thirty-seven (37) cited documents (AA1, AB1, AC1, AD1, AE1, AF1, AL1, AM1, AN1, AO1, AP1, AR1, AS1, AT1, AL2, AM2, AN2, AR2, AS2, AT2, AR3, AS3, AT3, AR4, AS4, AT4, AR5, AS5, AT5, AR6, AS6, AT6, AR7, AS7, AT7, AR8, and AS8) on Form PTO-1449; and
4. Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are

Commissioner for Patents  
October 2, 2001  
Page 2

necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read 'Elizabeth J. Haanes', is written over the printed name.

Elizabeth J. Haanes, Ph.D.  
Attorney for Applicants  
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EJH/pcd  
Enclosures